



Subdivision Application Guidelines

(This guideline is part of the Plan of Subdivision application form and is “required reading” for applicants.)

A subdivision is a tract of land that has been divided into several building lots or blocks. These lots or blocks can be used for residential, industrial, commercial, institutional (e.g. school) or open space/parks depending on the designation of the land within the Official Plan and Zoning By-law. An approved plan of subdivision is required in order for the lots and blocks to be sold or conveyed separately. A registered plan of subdivision is a legal document which outlines all the details and conditions which are required to develop a parcel of land.

HOW TO APPLY

- If you are thinking of submitting a Plan of Subdivision application, you should first meet with Planning Services Department staff who can identify the steps and procedures, which must be followed in order to have a subdivision approved. You may also be required to complete some special studies (e.g. traffic, noise, servicing etc.) in support of your application.
- The complete application form and required special studies would then be submitted to the Planning Service Department along with the appropriate fee.

WHAT HAPPENS NEXT

Once an application for Plan of Subdivision has been submitted, the assigned Planner will circulate it to City Departments, government agencies, and the Region of Niagara. An Information Meeting is hosted by staff to provide information on the application and to receive feedback from the public, prior to staff making a recommendation and prior to Council’s consideration of the application.

Once all comments have been reviewed the assigned Planner will then prepare a report to Council recommending draft plan approval with conditions and/or modifications, or refusal of the application. The report is forwarded to Council for a decision. The meeting at which Council will make a decision on the application is a Public Meeting and any interested party (either in support or in opposition) has an opportunity to address Council, prior to a decision being made.

When Draft Plan Approval is granted, there are usually a number of conditions to be met by the applicant prior to final approval and registration of the plan of subdivision. Among the conditions is usually a requirement that the owner enter into a subdivision agreement with the City regarding matters such as the construction of roads, servicing and parkland dedication. Applicants will be required to provide a letter of credit in order for the City to ensure that all of the conditions are fulfilled. The responsibility for fulfilling the conditions of draft approval rests primarily with the developer, as does the timing involved.

After all the conditions of Draft Plan Approval have been met and where appropriate documented letters of clearance have been received, final approval can be given. The Subdivision Plan and agreement can then be registered in the land titles/registry system.

APPEAL

An appeal may be submitted to the Ontario Municipal Board if the City fails to approve the draft plan of subdivision or, if the application is approved and any person opposes the conditions which have been imposed.

TIMING

Once an application is received and reviewed for completeness, the time period required until the application is considered by Council is **approximately** 4 months. Timing is dependant on whether an application is “complete”, Council Meeting schedule, complexity of issues within an application, and staff workload.

Other Permits or Approvals that may be required

(Official Plan Amendments, Zoning Bylaw Amendments, and Plans of Subdivision applications for the same development proposal may be submitted and processed simultaneously, subject to consultation with the Planning Services Department)

- Official Plan Amendment - If proposed use of land does not conform to the Official Plan.
- Zoning By-law Amendment - If proposed development does not conform to the Zoning By-law.
- Heritage Approval - If property is located in a Heritage Conservation District.
- Site Plan Control Applications - For most commercial and industrial developments, for certain residential developments, for the establishment of parking lots, for certain changes in land use, and for any development in certain zones.

PROCESS

Subdivision Agreements are entered into between the developer of a new subdivision and the City to ensure that all of the requirements of the City and external agencies are completed and that security is provided where necessary.

We would suggest that any person contemplating a development should contact the Development Agreement Co-ordinator to discuss their proposal at their earliest convenience prior to submission of an application.

Subdivision Agreement Process

Subdivision, Subdivision Amendment Process

Application Received

Application Circulated to Staff & Outside Agencies

Draft Agreement Prepared and Forwarded to the Owner/Agent

Owner's/Agent's Comments on Agreement Forwarded to Legal

Report to General Committee of Council (Only if Application Does Not Comply with City Policy or if Council Has Directed involvement of Neighbourhoods)

Final Agreement Forwarded to Owner/Agent for Execution

Mayor and Clerk Sign Agreement

Agreement Registered and a Copy of Registered Agreement Forwarded to the Owner/Agent



THE CORPORATION OF THE
CITY OF ST. CATHARINES

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PLANNING SERVICES
Development

PLAN OF SUBDIVISION APPLICATION

SUBDIVISION FILE NUMBER 60.46.
SUBMISSION NUMBER _____
AMANDA NO: _____ SA

Planning received stamp here

Property Location: _____ (Municipal Address)

Name of Applicant: _____ (Agent Owner)

PREAMBLE

It is the responsibility of the applicant or authorized agent to complete this form and to supply all of the documents required by the Condominium Act, Planning Act and the Planning Services Department of the City of St. Catharines, including the following:

1. 22 paper prints of draft plan - folded not larger than legal size (8 ½ x 14") signed by owner and surveyor. (Refer to Schedule 'B' of this form for plan requirements under Section 51(17) of the Planning Act.
2. 20 copies of completed condominium application form signed by owner and agent (if any).
3. 20 copies of background information report on proposal. (Refer to Schedule 'A' of this form for required content) Note: ***All plans must be in metric units.***
4. 1 legible paper print or mylar of draft plan reduced to letter (8½ x 11") or legal (8½ x 14") size.
5. Municipal application fee \$ _____.
6. Letter from the Regional Niagara Planning and Development Department indicating its awareness of the subdivision proposal.
7. Supporting studies and information (e.g. preliminary stormwater management report, noise, traffic, etc.) that may be required.

All information is to be forwarded to the:

Planning Services Department, City of St. Catharines, Box 3012, City Hall
50 Church Street, St. Catharines, ON, Canada L2R 7C2
Phone No. (905) 688-5600 ext. 1719, Fax No. (905) 688-5873

Applicants should review this application with the Planning Services Department before submitting.

PLEASE PRINT ALL INFORMATION

1. APPLICANT INFORMATION

REGISTERED OWNER(S) OF PROPERTY: _____

MAILING ADDRESS: _____

POSTAL CODE: _____

CONTACT IF A NUMBERED COMPANY: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

2. AGENT, SOLICITOR OR PLANNING CONSULTANT

NAME: _____

TITLE: _____

MAILING ADDRESS: _____

POSTAL CODE: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

3. ONTARIO LAND SURVEYOR NAME:

NAME: _____

TITLE: _____

MAILING ADDRESS: _____

POSTAL CODE: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

4. AUTHORIZATION (To be filled out if agent etc. is not Registered Owner)

I/We _____ hereby authorize and direct
 _____ to make this application on the property known municipally as
 _____ for which I/we are the registered owner(s).

 Witness

 Signature

 Date

 Address

8. PLAN DETAILS

SUBDIVISION BREAKDOWN

Land use	No. of Units	No. of lots/blocks	Area in hectares	No. of units per hectare	No. of parking spaces
Residential: Single-detached					
Semi-detached/ duplex					
Multiple attached (townhouses)					
Apartments					
Commercial					
Industrial					
Park and Open Space					
Institutional (specify)					
Roads					
Other (specify)					
TOTAL					

6. PROPERTY LOCATION AND DESCRIPTION

Municipal Address _____

Legal description of the lands (Lot and Registered Plan or Concession)

Easements and/or restrictive covenants affecting the lands

Description _____

Effect _____

Property Information

Lot (Street) frontage	_____	feet	_____	metres
		feet		metres
Depth	_____		_____	
		feet		metres
Area	_____		_____	

Width of abutting road allowances _____

Type of access to subject land:

- | | |
|---|--|
| <input type="checkbox"/> Provincial Highway | <input type="checkbox"/> Regional Road |
| <input type="checkbox"/> Municipal Road maintained all year | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Water access | <input type="checkbox"/> Private Road |

Municipal water Available? Connected?

Sanitary Sewer Available? Connected?

Storm Sewer Available? Connected?

7. PLANNING COMPLIANCE

A. Present St. Catharines Official Plan Designation _____

Is an amendment required? No Yes

B. Zoning Area _____

Zoning By-law No. _____

Present Zoning _____

Is an amendment required? No Yes

C. Present Regional Policy Plan Designation _____

Is a Regional Policy Plan amendment required? No Yes

8. CONCURRENT APPLICATION

If known (check with city staff), has an application been made by the applicant and/or owner under the Planning Act for the subject land or land within 120 metres of the subject land for:

A A minor variance? File No. _____ Status _____.

B An Official Plan Amendment? File No. _____ Status _____.

C A Zoning By-law amendment? File No. _____ Status _____.

D A consent for land severance? File No. _____ Status _____.

E A site plan agreement? File No. _____ Status _____.

F Minister's order? File No. _____ Status _____.

G Other?

PREVIOUS APPLICATIONS

If known, has the subject land ever been the subject of:

A. Subdivision No Yes File No. _____
Decision _____ Date: _____ / _____ / _____
M D Y

B. Land Severance No Yes File No. _____
Decision _____ Date: _____ / _____ / _____
M D Y

C. Condominium No Yes File No. _____
Decision _____ Date: _____ / _____ / _____
M D Y

9. LAND USE

Present use of land _____

Previous use of land (e.g. orchard, gas station, industrial plant) _____

Date present use commenced _____

(for buildings date of construction)

Use of abutting land north _____ east _____

south _____ west _____

Are there any existing buildings on the subject land? No Yes

Type of existing building on subject land? _____

Are there any areas on the subject land of archaeological potential? No Yes

10. How is the plan consistent with policy statements issued under subsection 3 (1) of the Planning Act?

11. Is the subject land within an area of land designated under any provincial plan or plans?

No Yes

If yes, which plan(s): _____

12. If the answer to Section 11 is yes, how does the plan conform to the applicable provincial plan or plans.

13. CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

Complete the consent of the owner concerning personal information set out below.

I, _____ am the owner of the land that is subject of this application for approval of a condominium description and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Signature

Day

Month

Year

12. DECLARATION

I, _____ of the City of

_____, solemnly declare that:

All statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as it made under oath and by virtue of the Canada Evidence Act.

Declared before me at the _____ of _____)
_____)
_____)
in the _____))
of _____))
this _____ day of _____, 20__)

Signature of Owner or Authorized Agent

A Commissioner

Name of Owner or Authorized Agent

Position/Title

Signature

Date

Corporate Seal

BACKGROUND INFORMATION REPORT

A "Background Information Report" is required to be submitted by the applicant with the subdivision application. The purpose of this report is to outline existing local conditions in relation to the following criteria:

1. Proposed integration of roadways within subdivision and vehicular circulation patten in surrounding area.
2. Inventory of physical features (watercourses, vegetation, topography, etc.) on the site and adjacent lands.
3. Inventory of existing and proposed utilities and water, sanitary and storm facilities serving uses proposed in the subdivision.
4. Location of parklands and other public lands (other than traveled roadways) in the vicinity of the site.
5. Likely uses of all lots and blocks within the subdivision and the number of people to be accommodated.
6. Existing public transportation serving the site.
7. Whether the Official Plan and/or Zoning By-law need to be amended.
8. All information provided by Agencies and Departments consulted by applicant.
9. If a residential development is proposed, location of school serving the subdivision and access routes to those schools.
10. Opportunities for affordable housing provided in the proposed subdivision.
11. Cultural heritage features (check with City Staff).
12. All information required to satisfy the need of the Provincial Policy Statement (please check with Regional Planning Staff).

NOTE: Any supporting information or studies (e.g. preliminary stormwater management, soil investigation, traffic, noise, etc.) that may be required, should also be submitted for review.

**LEGISLATIVE REQUIREMENTS FOR SUBDIVISION APPROVAL
ADAPTED FROM THE PLANNING ACT**

Section 51:

- i) Subsection 17; Information required to be shown on the draft plan:
 - (a) the boundaries of the land to be subdivided, certified by an Ontario Land Surveyor;
 - (b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
 - (c) on a small key plan, on a scale of not less than one centimeter to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which he has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part;
 - (d) the purpose for which the lots are to be used;
 - (e) the existing uses of all adjoining lands;
 - (f) the approximate dimensions and layout of the proposed lots;
 - (g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps, and wooded areas within or adjacent to the land proposed to be subdivided;
 - (h) the availability and nature of domestic water supplies;
 - (i) the nature and porosity of the soil;
 - (j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land;
 - (k) the municipal services available or to be available to the land proposed to be subdivided; and
 - (l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.
- ii) Subsection 19; The approval authority may refuse to accept or further consider the application until the prescribed information and material, the required fee and the draft plan are received and the time period referred to in subsection (34) does not begin until the day the draft plan, information, material, and fee are received.
- iii) Subsection 24; In considering a draft plan regard shall be had among other matters to the health, safety, convenience and welfare of the future inhabitants.
- iv) Subsection 25; The Region may impose such conditions as deemed reasonable including a condition of that land be dedicated or the requirements met for park and other public recreation purposes under section 51.1 and/or that such highways or road widenings be dedicated as deemed necessary by the approval authority.
- v) Subsection 26; Every municipality and the Region may enter into subdivision agreements imposed as a condition for draft approval.